

### **REMARKS**

Reconsideration and allowance in view of the foregoing amendments and the following remarks is respectfully requested.

In response to claims 2-3 and 8-11 being indicated as containing allowable subject matter, applicants opt to amend claim 1 via the inclusion of the allowable subject matter of claim 2; cancel claim 2; amend claim 11 to assume independent form; amend claim 2 to depend from claim 11; and cancel claims 14-18.

These amendments are such as to render moot the rejection of:

- 1) claims 1, 4, and 6-7 under 35 USC 102(b) as being anticipated by Fillion et al. (US 5,497,033; hereinafter "Fillion");
- 2) claims 5, 12, and 17 under 35 USC 103(a) as being unpatentable over Fillion as applied to claims 1 and 14 above, and further in view of Nakamura et al. (US Pub 2002/0151103 A1; hereinafter "Nakamura");
- 3) claim 13 under 35 USC 103(a) as being unpatentable over Fillion and Nakamura as applied to claim 12 above, and further in view of Admitted Prior Art (Fig. 5; page 11, line 35-page 12, line 5);
- 4) claim 8 under 35 USC 103(a) as being unpatentable over Fillion as applied to claim 1 above, and further in view of Hirano et al. (US Pub 2003/0222335 A1; hereinafter "Hirano"); and
- 5) claim 18 under 35 USC 103(a) as being unpatentable over Fillion and Nakamura as applied to claims 17 above, and further in view of Oka et al. (US 6,441,495 B1; hereinafter "Oka").

### **Conclusion**

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

Early issuance of a Notice of Allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,  
**LOWE HAUPTMAN HAM & BERNER, LLP**

A handwritten signature in cursive script, reading "Kenneth M. Berner".

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